



Town of Arlington  
Zoning Board of Appeals  
51 Grove Street  
Arlington, Massachusetts 02476  
781-316-3396  
[www.arlingtonma.gov](http://www.arlingtonma.gov)

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Kathleen Murtagh** of Arlington, Massachusetts on April 25, 2020 a petition seeking permission to alter her property located at **37 Fairmont Street - Block Plan 001.0-0002-0015.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

Hearing in regard to the said petition will be remotely conducted via "Zoom"  
**Tuesday evening June 23, 2020 at 7:30 P.M or as soon thereafter as the petitioner may be heard. Please visit the Town of Arlington website for hearing information.**

DOCKET NO 3623

Zoning Board of Appeals  
Christian Klein, RA, Chair

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Kathleen Murtagh

to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 10.11 of the Zoning Bylaw for the Town of Arlington, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, Special Permit Criteria: Special permit required under section 8.1.3 b Nonconforming single family and two family dwelling

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The Petitioner/Applicant states he/she/they is/are the owner - occupant of the land in Arlington located at 37 Fairmont St

with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals or its predecessors upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The owner wishes to add a family room addition to the back of her house.

The existing lot is non-conforming with respect to usable open space.

By way of bylaw section 8.1.3, she is seeking to increase the gross square footage of the house without full compliance with the "usable open Space" requirement of 30% GSF.

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E-Mail murtaghkm@comcast.net Signed Kathleen Murtagh Date: 3-8-2020

Telephone 617-201-1854 (c) Address 37 Fairmont St, Arlington, MA 02474

**Special Permit Criteria-** The following standards must be addressed and met for the grant of a Special Permit:

1). Indicate where the use requested is listed in the Table of Use Regulations as a Special Permit in the district for which the application is made or is so designated elsewhere in the Arlington Zoning Bylaw.

8.1.3.B Extension of a non-confirming nature of a single family structure

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2). Describe how the requested use is essential or desirable to the public convenience or welfare.

The applicant seeks to expand her moderate sized single-family home to make it more usable for her, and hopefully for future generations.

In granting a Special Permit, this project will help preserve the limited stock of single-family homes in the neighborhood.

855.3

572

3). Describe how the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The property will continue to be used as a single family home. The addition will not effect the front sidewalk, driveway, or entrance to the house.

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4). Describe how the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The current use as a single family home will remain.

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5). Describe how any special regulations for the use, set forth in Article 11, are fulfilled.

NA. The property is not in a flood plain.

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6). Describe how the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

The current use as a single family home will remain.

Describe how the requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

The current use as a single family home will remain.

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**TOWN OF ARLINGTON**  
**Dimensional and Parking Information**  
**For application to The Zoning Board of Appeals**

1. Property Location: 37 Falmont St Zoning District: R-2
2. Present Use/Occupancy: R (single family) No. of dwelling units (if residential) 1
3. Existing Gross Floor Area (see definition of Gross Floor Area (GFA) in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor): 1862.6
4. Proposed Use/Occupancy: R (single family) No. of dwelling units (if residential) 1
5. Proposed Gross Floor Area (see definition of Gross Floor Area in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor): 2282.6

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (sq. ft.)	<b>4000</b>	<b>4000</b>	min. 6000
7. Frontage (ft.)	<b>40</b>	<b>40</b>	min. 60
8. Floor area ratio	<b>NA</b>	<b>NA</b>	max. NA
9. Lot Coverage (%)	<b>29.46</b>	<b>34.71</b>	max 35
10. Lot Area per Dwelling Unit (sq. ft.)	<b>NA</b>	<b>NA</b>	min. NA
11. Front Yard Depth (ft.)	<b>8.33</b>	<b>8.33</b>	min. 20
12. Left Side Yard Depth (ft.)	<b>7.68</b>	<b>7.68</b>	min. 10
13. Right Side Yard Depth (ft.)	<b>8.45</b>	<b>8.45</b>	min. 10
14. Rear Side Yard Depth (ft.)	<b>54.94</b>	<b>40.94</b>	min. 20
15. Height (stories)	<b>2</b>	<b>2</b>	max. 2-1/2
16. Height (ft.)	<b>26.07</b>	<b>26.07</b>	max. 35
17. Landscaped Open Space (% of GFA) Sq. ft. <u>361</u>	<b>19.3</b>	<b>15.8</b>	min. 10
18. Usable Open Space (% of GFA) Sq. ft. <u>0</u>	<b>0</b>	<b>0</b>	min. 30
19. Parking Spaces (number)	<b>2+</b>	<b>2+</b>	min. 2
20. Parking area setbacks	<b>NA</b>	<b>NA</b>	min. NA
21. Loading Spaces (if applicable)	<b>NA</b>	<b>NA</b>	min.
22. Type of construction	<b>5B</b>	<b>5B</b>	-

**OPEN SPACE/GROSS FLOOR AREA**

Refer to Zoning Bylaw Article 2, Definitions and Article 6, Dimensional Regulations

Address 37 Fairmont StZoning District R-2

<u>OPEN SPACE</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>4000</u>	<u>4000</u>
Open Space (Usable)*	<u>0</u>	<u>0</u>
Open Space (Landscaped)	<u>361</u>	<u>361</u>

\*Usable Open Space must be at least 75% open to the sky, free of automotive, traffic and parking, and readily accessible. Open space shall be deemed usable only if : 1) at least 75% of the area has a grade of less than 8% and no horizontal dimension less than 25 feet.

**GROSS FLOOR AREA (GFA)**

Accessory building	<u>0</u>	<u>0</u>
Basement or cellar (>5' excluding mechanical area)	<u>645.3 (unfinished)</u>	<u>855.3 (new space finished)</u>
1 <sup>st</sup> Floor	<u>645.3</u>	<u>855.3</u>
2 <sup>nd</sup> Floor	<u>572</u>	<u>572</u>
3 <sup>rd</sup> Floor	<u>0</u>	<u>0</u>
4 <sup>th</sup> Floor	<u>0</u>	<u>0</u>
5 <sup>th</sup> Floor	<u>0</u>	<u>0</u>
Attic (>7'3" in height, excluding elevator, mechanical)	<u>0</u>	<u>0</u>
Parking garages (except as used for accessory Parking garages or off street loading purposes)	<u>0</u>	<u>0</u>
All weather habitable porches and balconies	<u>0</u>	<u>0</u>
<b>Total Gross Floor Area (GFA)</b>	<b><u>1862.6</u></b>	<b><u>2282.6</u></b>

**REQUIRED MINIMUM OPEN SPACE AREA**

Proposed Usable Open Space Percent of GFA	<u>0</u>
Proposed Landscaped Open Space Percent of GFA	<u>15.8</u>

This worksheet applies to plans dated Feb 25, 2020 designed by D&A Survey Associates, Inc

Reviewed by Inspectional Services \_\_\_\_\_ Date: \_\_\_\_\_

N/F  
 JOHN & DELIA COOKE  
 L.C. CERT. IN BOOK 281 PAGE 213  
 LOT 159  
 PLAN COURT PLAN NO. 3765 A

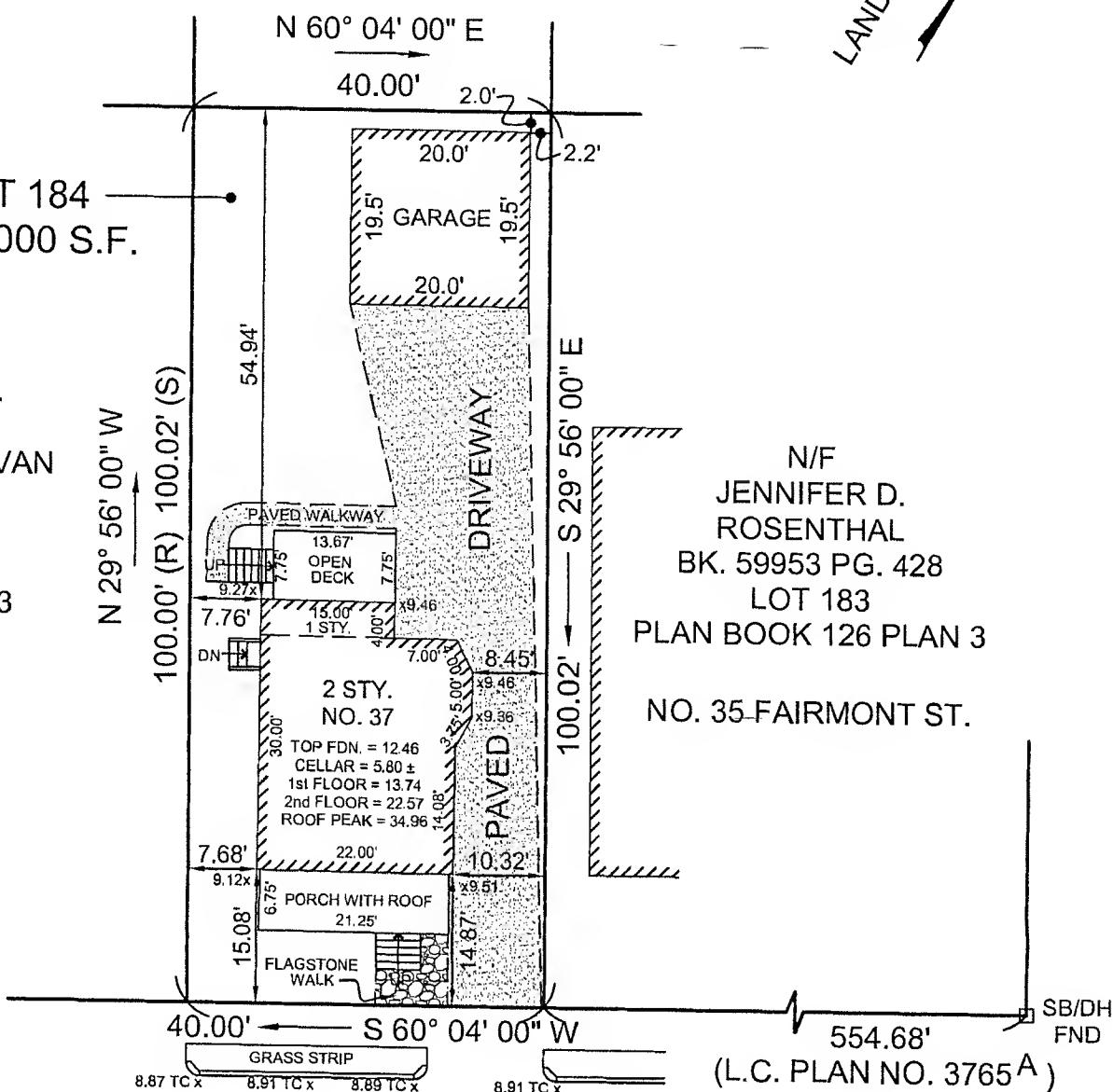
NO. 46 - 48 THORNDIKE STREET

LAND COURT PLAN NO. 28044 A

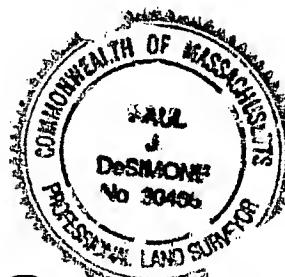
MASSACHUSETTS AVENUE

LOT 184  
 A = 4,000 S.F.

N/F  
 PAUL F. & BARBARA J.  
 SULLIVAN  
 TRUSTEES OF THE SULLIVAN  
 FAMILY TRUST  
 BK. 55555 PG. 59  
 LOT 185  
 PLAN BOOK 126 PLAN 3  
 NO. 39 FAIRMONT ST.



FAIRMONT (PUBLIC - 40.0' WIDE) STREET



*Paul J. Desomme*

NOTES:

1. RECORD OWNER: KATHLEEN M. MURTAGH
2. DEED REFERENCE: BK. 53972 PG. 583
3. PLAN REFERENCE: PLAN BOOK 126 PLAN 3
4. AVERAGE GRADE: TOP OF CURB = 8.89
5. BENCHMARK: TOP OF MONEL RIVET FOUND ON THE NORTHERN SIDE OF MASSACHUSETTS AVENUE BRIDGE OVER ALEWIFE BROOK AT THE CAMBRIDGE/ARLINGTON LINE. ELEVATION 10.48 DATUM NAVD 1988
6. THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY
7. ALL EXTERIOR DIMENSIONS ON THE BUILDING AND OFFSETS TO THE PROPERTY LINES ARE TO THE CONCRETE FOUNDATION

CERTIFIED PLOT PLAN  
 SHOWING EXISTING  
 CONDITIONS  
 IN  
 ARLINGTON, MA  
 37 FAIRMONT STREET

0 20' 40' 60'



SCALE: 1" = 20'-0"

JULY 5, 2019

D & A SURVEY ASSOCIATES, INC.  
 P.O. BOX 621 MEDFORD, MA 02155  
 (781) 324 - 9566

N/F  
 JOHN & DELIA COOKE  
 L.C. CERT. IN BOOK 281 PAGE 213  
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NO. 46 - 48 THORNDIKE STREET

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MASSACHUSETTS AVENUE

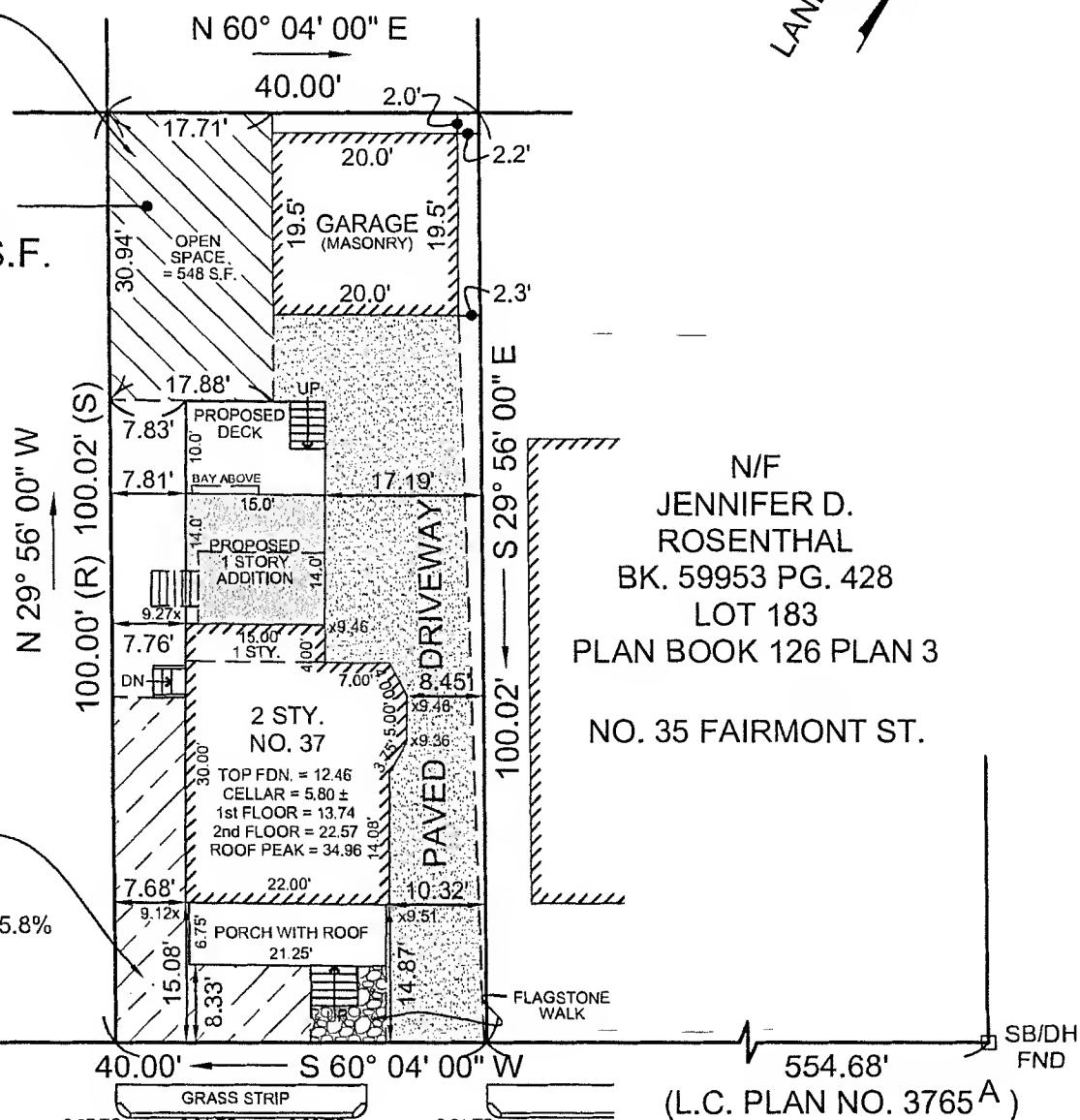
PROPOSED USABLE  
 OPEN SPACE 100% OPEN  
 TO THE SKY AND GRADE  
 IS LESS THAN 2%  
 NOTE: SPECIAL PERMIT  
 REQUIRED

LOT 184  
 A = 4,000 S.F.

N/F  
 PAUL F. & BARBARA J.  
 SULLIVAN  
 TRUSTEES OF THE SULLIVAN  
 FAMILY TRUST  
 BK. 55555 PG. 59  
 LOT 185  
 PLAN BOOK 126 PLAN 3

NO. 39 FAIRMONT ST.

OPEN SPACE  
 (LANDSCAPED)  
 = 361 S.F.  
 $361 / 2,282.6 \text{ (GFA)} = 15.8\%$



## FAIRMONT (PUBLIC - 40.0' WIDE) STREET

### BUILDING COVERAGE:

#### EXISTING

HOUSE = 645.3 S.F.

GARAGE = 390.0 S.F.

PORCH = 143.4 S.F.

$1,178.7 \text{ S.F.} / 4,000 \text{ S.F.} = 29.46\%$

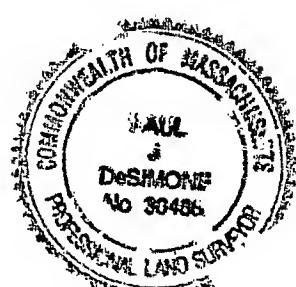
### BUILDING COVERAGE:

#### PROPOSED

ADDITION = 14' x 15' = 210 S.F.

$1,178.7 \text{ S.F.} + 210 \text{ S.F.} = 1,388 \text{ S.F.}$

$1,388 \text{ S.F.} / 4,000 \text{ S.F.} = 34.71\% < 35\%$



*Paul J. DeShane*

### NOTES:

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CERTIFIED PLOT PLAN  
 SHOWING PROPOSED  
 CONDITIONS  
 IN  
 ARLINGTON, MA  
 37 FAIRMONT STREET

0 20' 40' 60'



SCALE: 1" = 20'-0"

FEBRUARY 25, 2020

D & A SURVEY ASSOCIATES, INC.  
 P.O. BOX 621 MEDFORD, MA 02155  
 (781) 324 - 9566

## KEYED DEMOLITION NOTES

- 1 REMOVE EXISTING KITCHEN EQUIPMENT AND CABINETRY IN THEIR ENTIRETY. CAP ALL UTILITIES AS REQUIRED FOR RECONNECTION.
- 2 REMOVE EXISTING BATHROOM FIXTURES IN THEIR ENTIRETY. CAP ALL UTILITIES AS FOR RECONFIGURATION AND RECONNECTION.
- 3 REMOVE EXISTING FINISHED KITCHEN FLOOR AND TILE SUBFLOOR AS NECESSARY SO AS TO INSTALL NEW KITCHEN TO BE LEVEL WITH EXISTING ADJACENT FLOORS.
- 4 REMOVE EXISTING BATHROOM DOOR AND FRAME IN THEIR ENTIRETY.
- 5 REMOVE EXISTING EXTERIOR DOOR AND FRAME IN THEIR ENTIRETY. SAVE BOTH FOR REINSTALLATION AS SHOWN ON THESE DRAWINGS.
- 6 REMOVE EXISTING SINGLE STORY ROOF STRUCTURE, ABOVE KITCHEN AND BATH, AS REQUIRED TO ACCOMMODATE NEW ROOF AS SHOWN ON THESE DRAWINGS.
- 7 REMOVE EXISTING EXTERIOR WALL IN ITS ENTIRETY. EXISTING FOUNDATION TO REMAIN.
- 8 REMOVE EXISTING INTERIOR WALL AT BATHROOM IN ITS ENTIRETY.
- 9 REMOVE EXISTING DECK AND STAIRS, INCLUDING FOOTINGS, IN THEIR ENTIRETY.

===== INDICATES EXISTING TO REMAIN  
===== INDICATES EXISTING TO BE REMOVED

## GENERAL NOTES

ANY DISCREPANcies BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS SHALL BE BROUGHT TO THE OWNERS ATTENTION PRIOR TO THE START OF ANY WORK.

ALL DIMENSIONS SHOWN ARE TO THE FINISHED FACE OF WALL UNLESS OTHERWISE NOTED.  
CONTRACTOR IS TO REMOVE ALL DEMOLITION AND CONSTRUCTION DEBRIS FROM THE SITE.

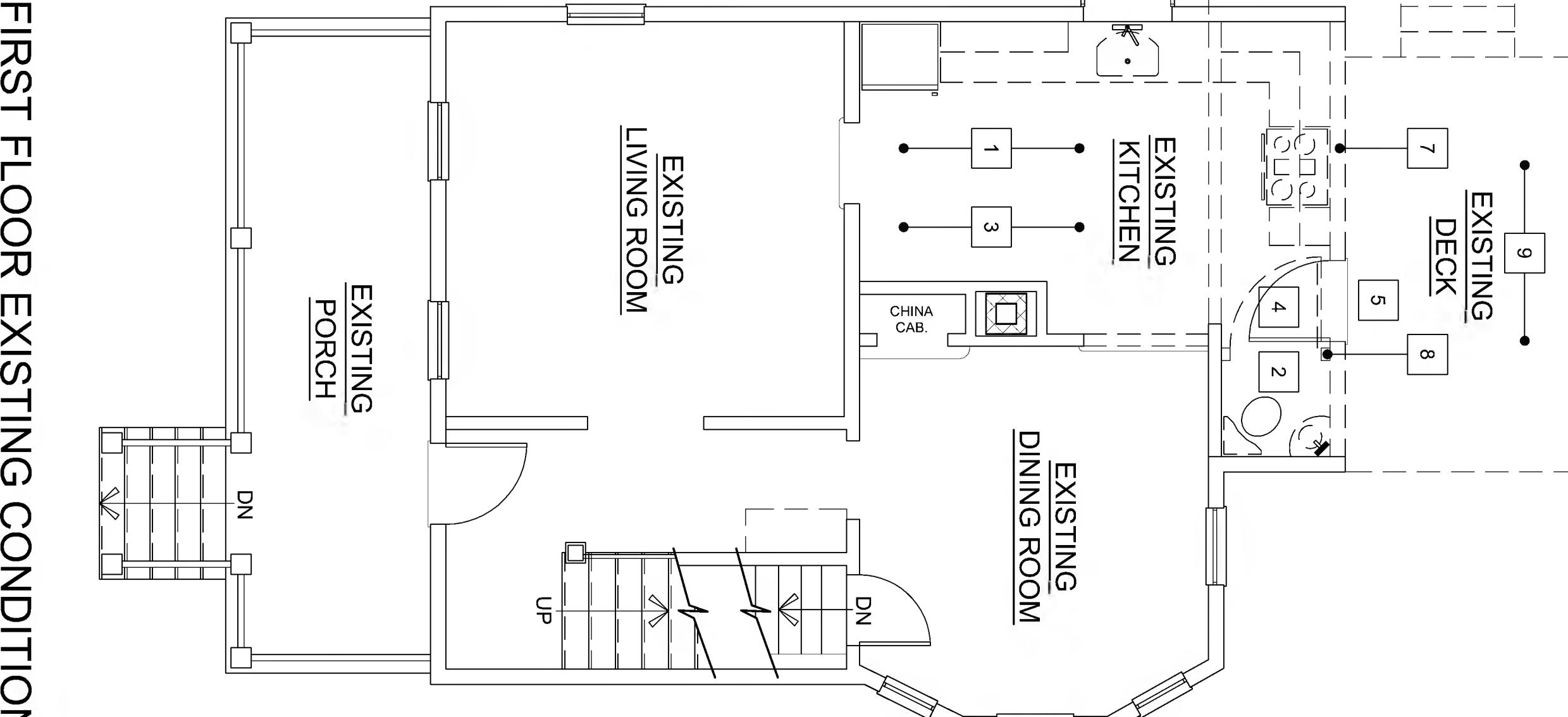
CONTRACTOR IS TO PATCH / REPAIR / REPLACE ALL SURFACES THAT MAY BECOME DAMAGED DURING ANY PHASE OF THIS PROJECT.

ALL FINISHES (PAINTS, TRIMS, FLOORING, ETC...) ARE TO BE FURNISHED AND INSTALLED BY THE GENERAL CONTRACTOR PER THE OWNERS DIRECTION.

CONTRACTOR IS RESPONSIBLE FOR ALL ELECTRICAL AND HVAC WORK TO CODE, AND PER OWNERS DIRECTION.

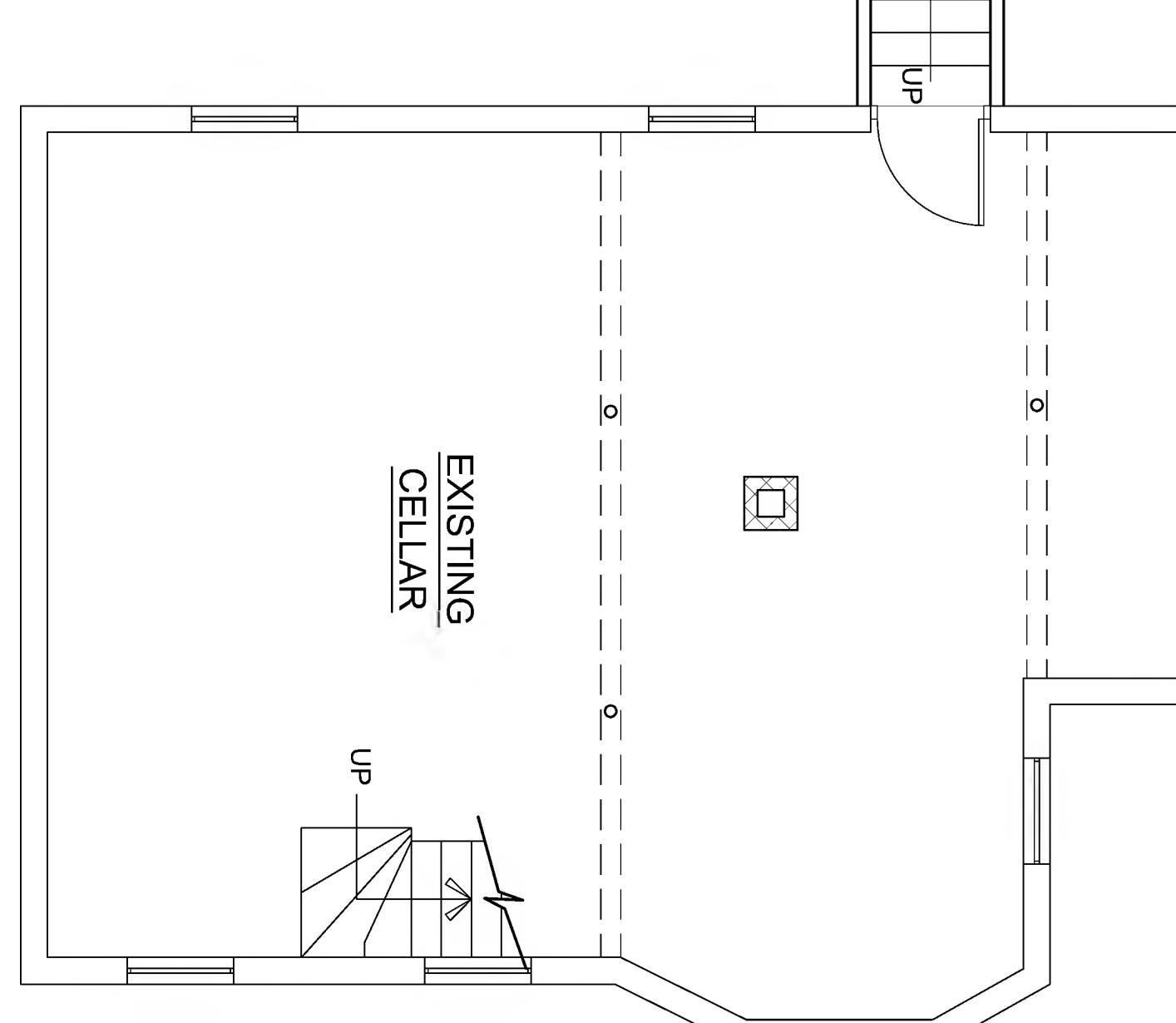
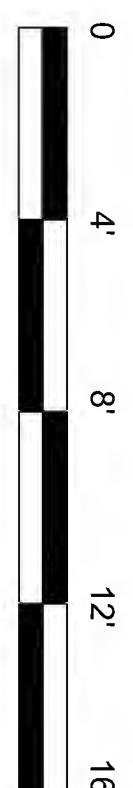
CONTRACTOR TO FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO THE START OF ANY WORK.

ALL WORK TO CONFORM TO ALL STATE CODES AND LOCAL ZONING ORDINANCES.



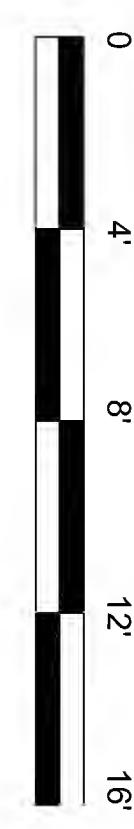
**FIRST FLOOR EXISTING CONDITIONS / DEMOLITION PLAN**

SCALE: 1/4" = 1'-0"



**CELLAR EXISTING CONDITIONS / DEMOLITION PLAN**

SCALE: 1/4" = 1'-0"



CREATE OPENING

MAX. WIDTH

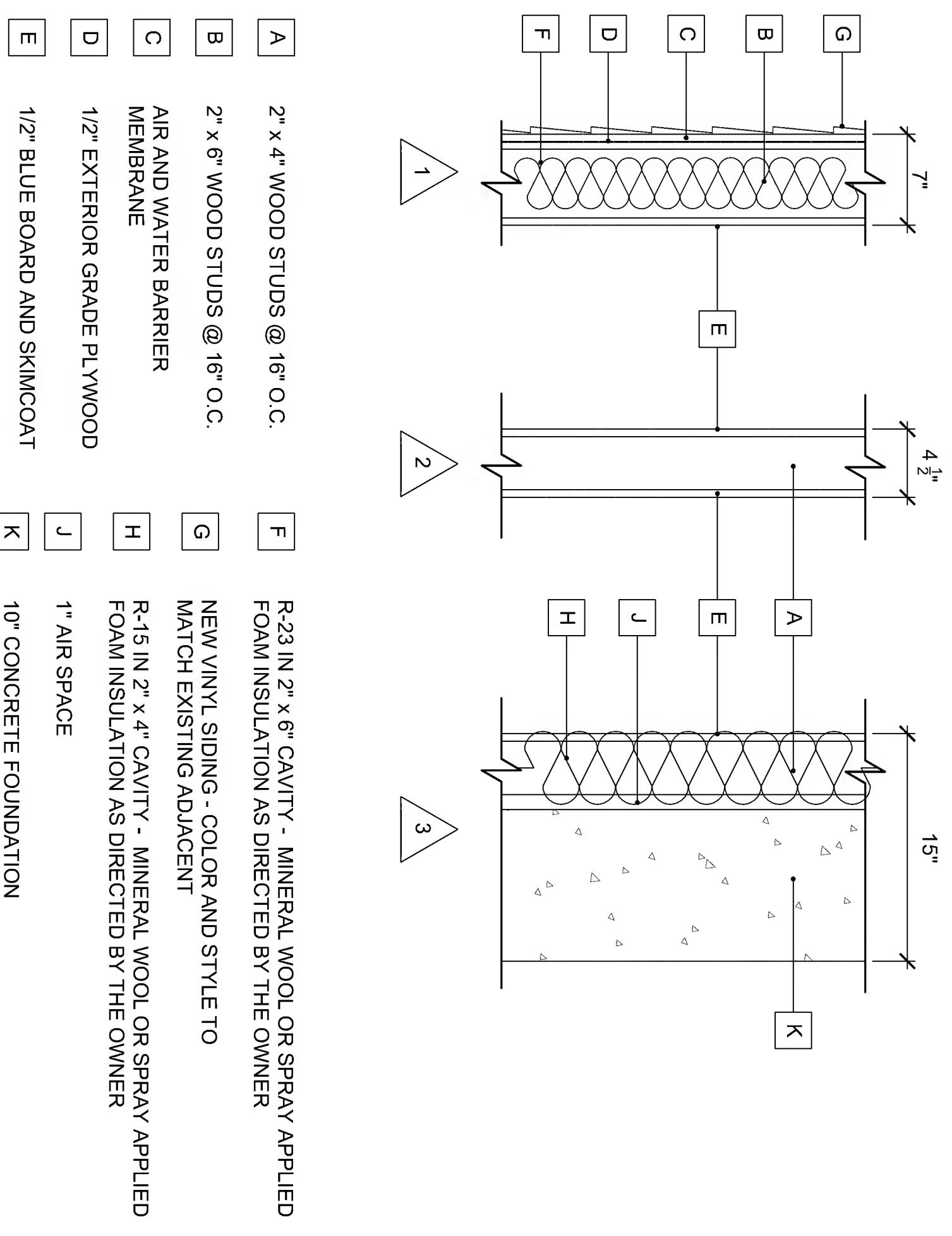
FIELD VERIFY-

COORDINATE

EXACT LOCATION

WITH OWNER

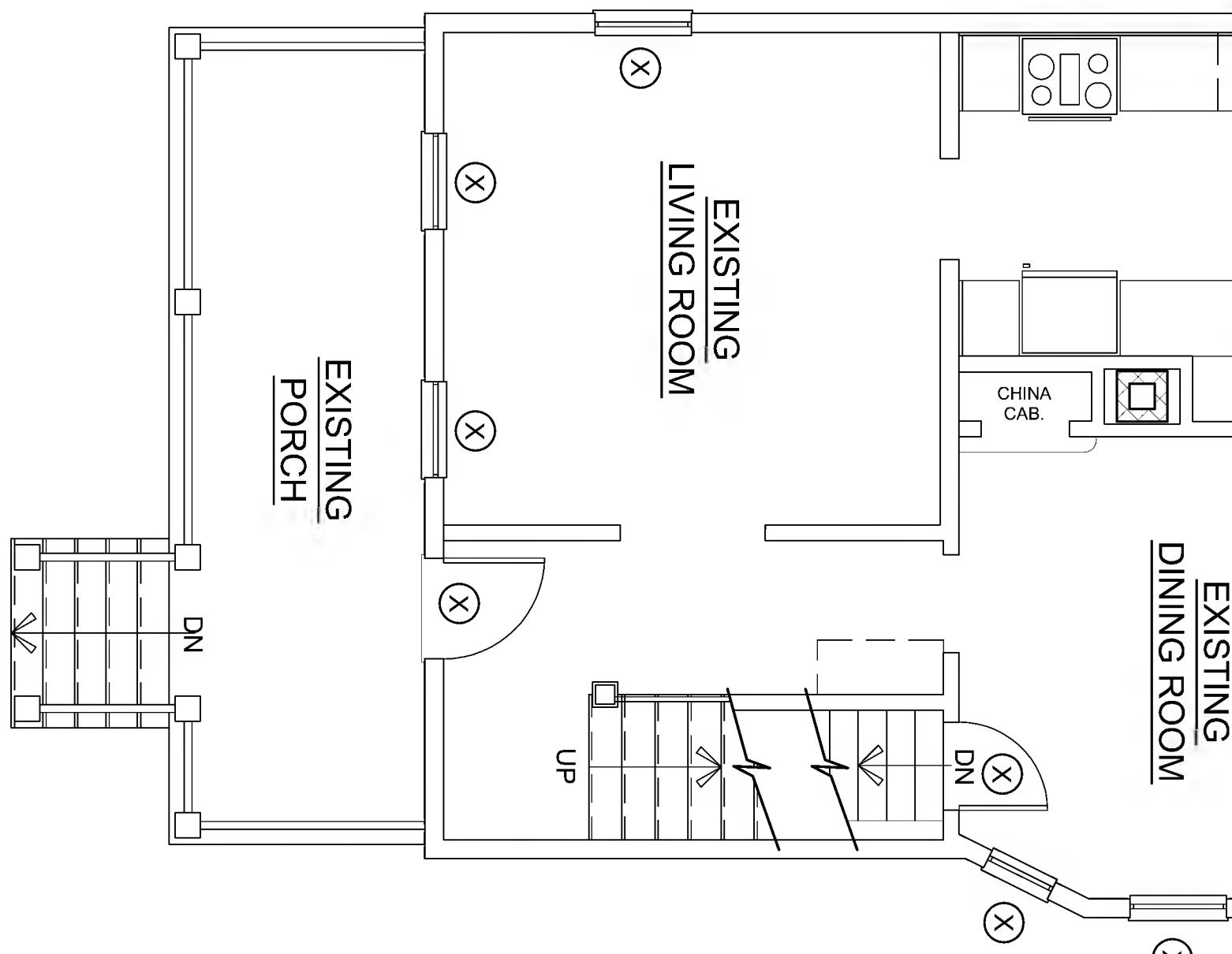
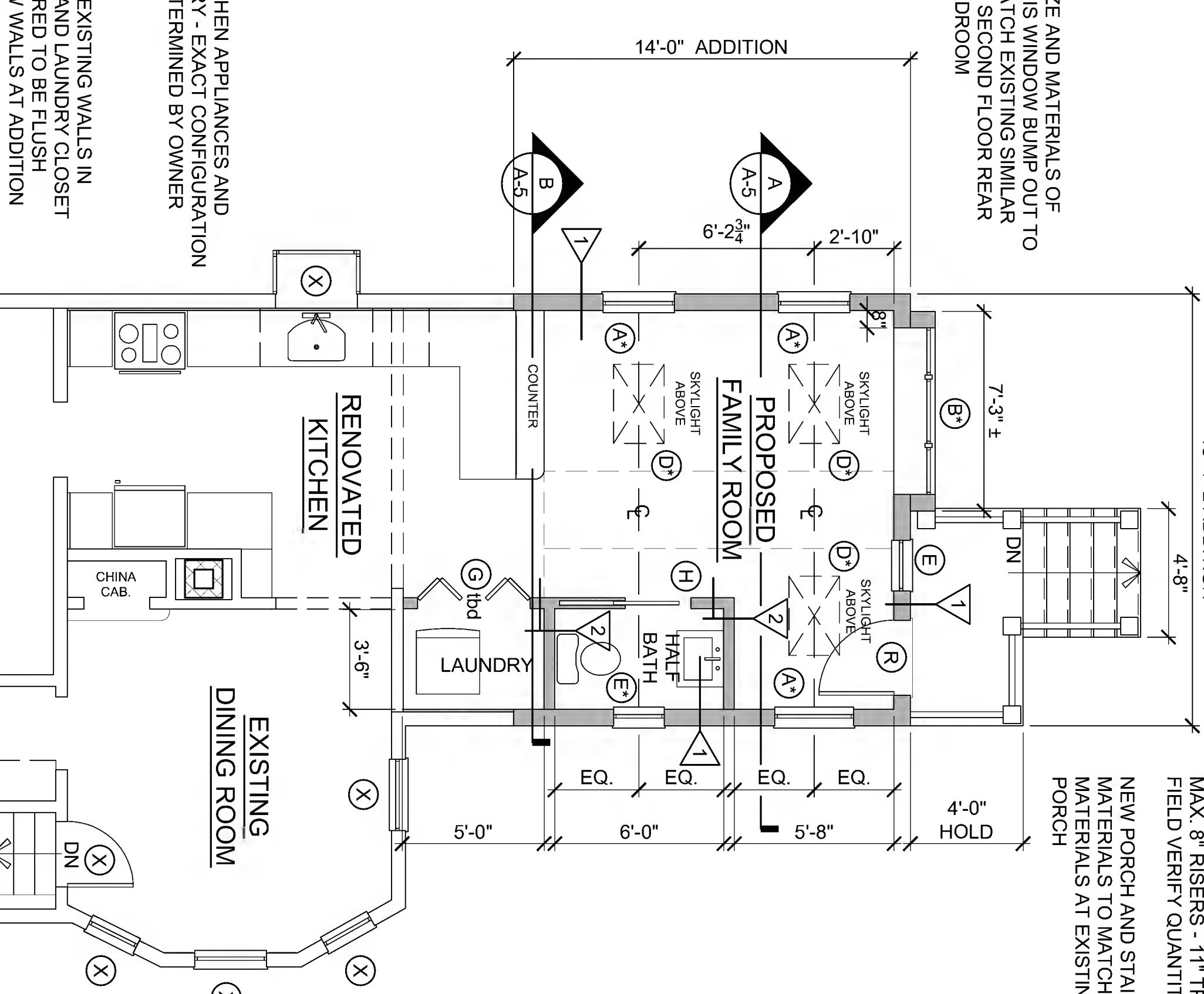
PROJECT:	PROPOSED MODIFICATIONS	DATE:	SHEET:
	37 FAIRMONT STREET	3-16-20	
	ARLINGTON, MA	SCALE: AS NOTED	
		DRAWN BY:	A-1



SIZE AND MATERIALS OF  
THIS WINDOW BUMP OUT TO  
MATCH EXISTING SIMILAR  
AT SECOND FLOOR REAR  
BEDROOM

**NEW STAIRS TO GRADE  
MAX. 8" RISERS - 11" TREADS  
FIELD VERIFY QUANTITY**

**NEW PORCH AND STAIR FINISHED  
MATERIALS TO MATCH FINISH  
MATERIALS AT EXISTING FRONT  
PORCH**



## DOOR / WINDOW SCHEDULE

WALL TILES LEGEND

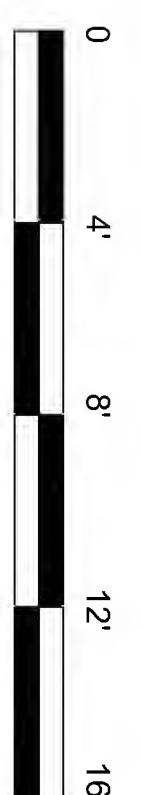
INDICATES NEW WALL CONSTRUCTION

PROJECT:		
<b>PROPOSED MODIFICATIONS 37 FAIRMONT STREET ARLINGTON, MA</b>		
<u>DATE:</u>	SHEET:	
3-16-20	A-2	
<u>SCALE:</u>		
AS NOTED		
<u>DRAWN BY:</u>		
REV.	DATE	DESCRIPTION

\* ALIGN CENTER OF WINDOW WITH CENTER OF WINDOW BELOW - SEE ELEVATIONS FOR MORE INFORMATION

# FIRST FLOOR CONSTRUCTION PLAN

SCALE: 1/4" = 1'-0"

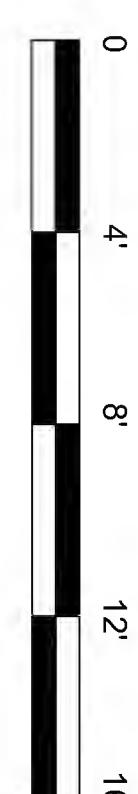


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# **CELLAR CONSTRUCTION PLAN**

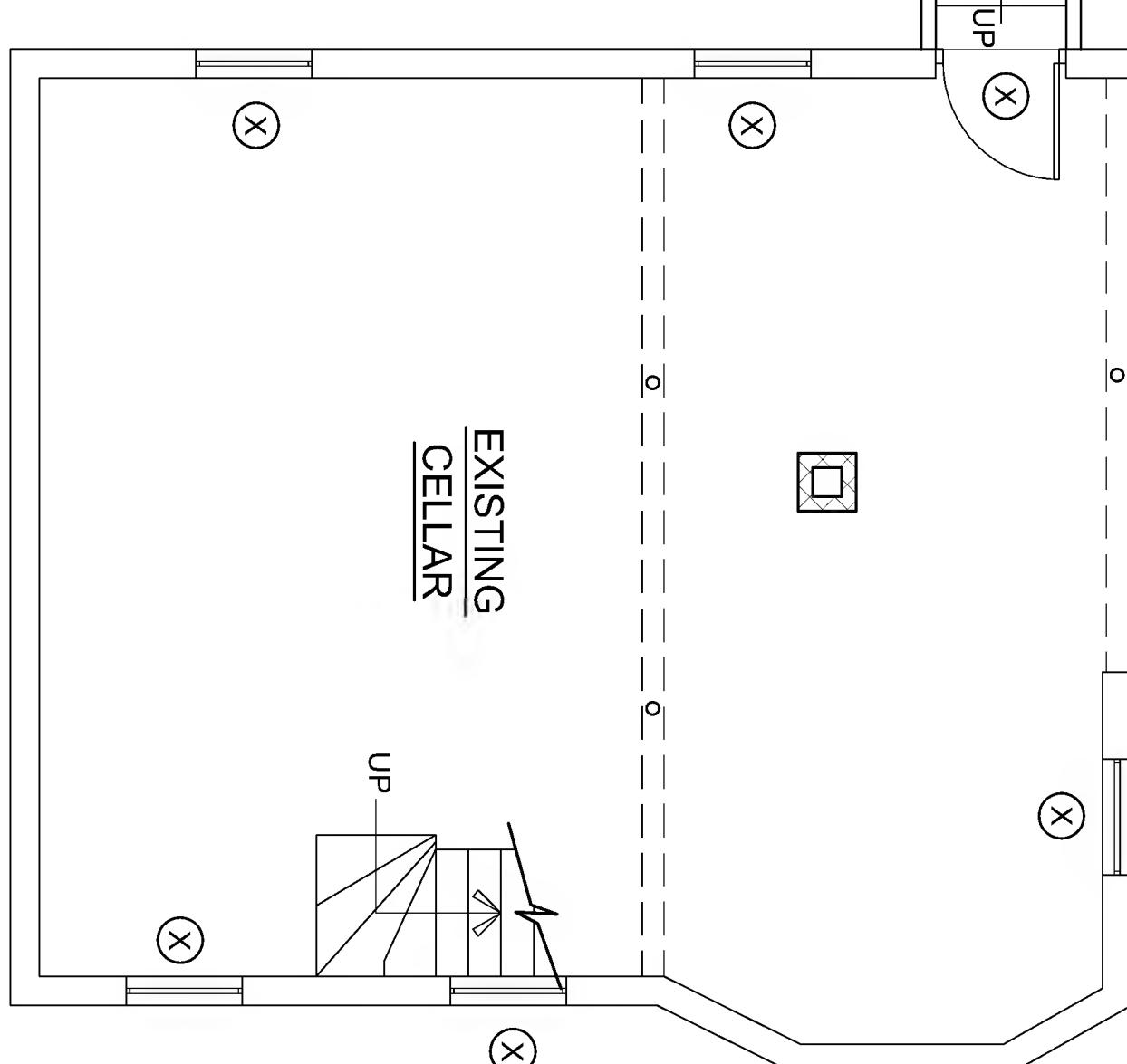
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SCALE. 1/4 = 1 -0

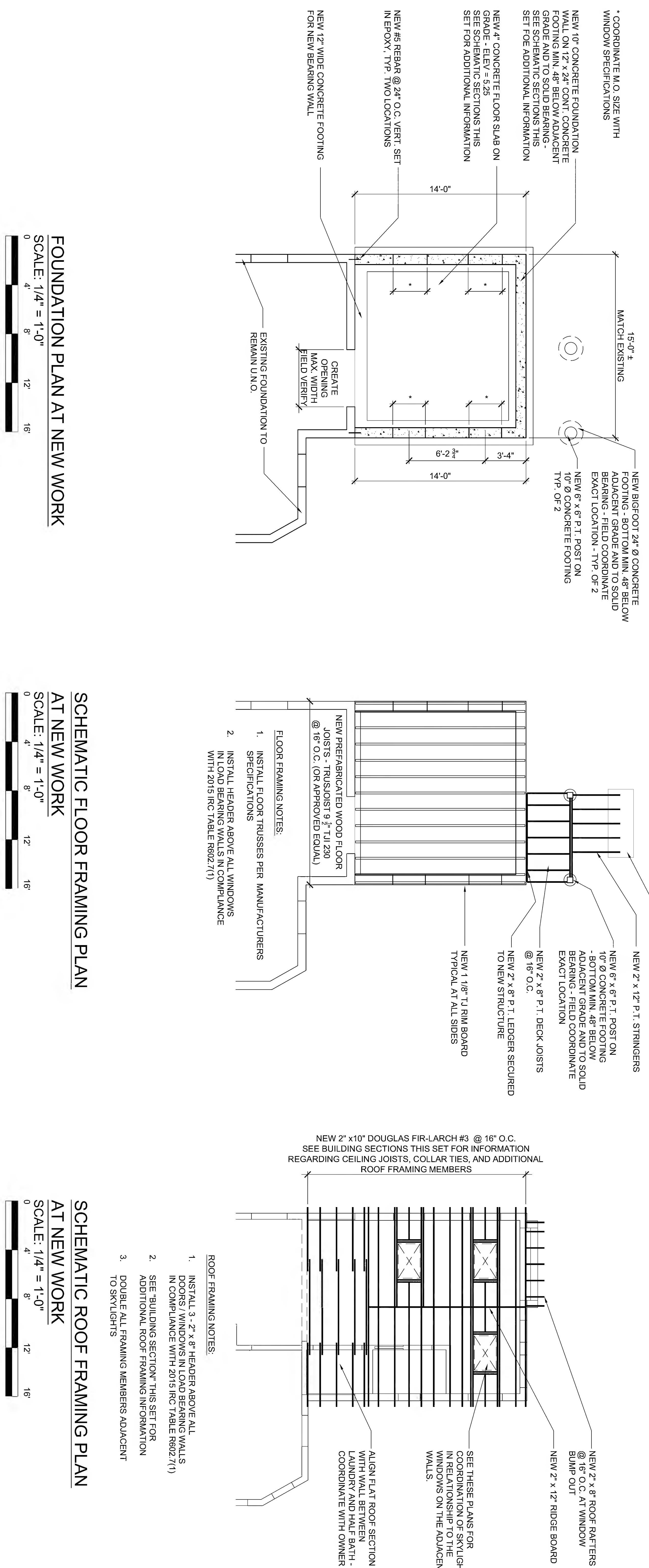


## EXISTING

סְבִּירָה

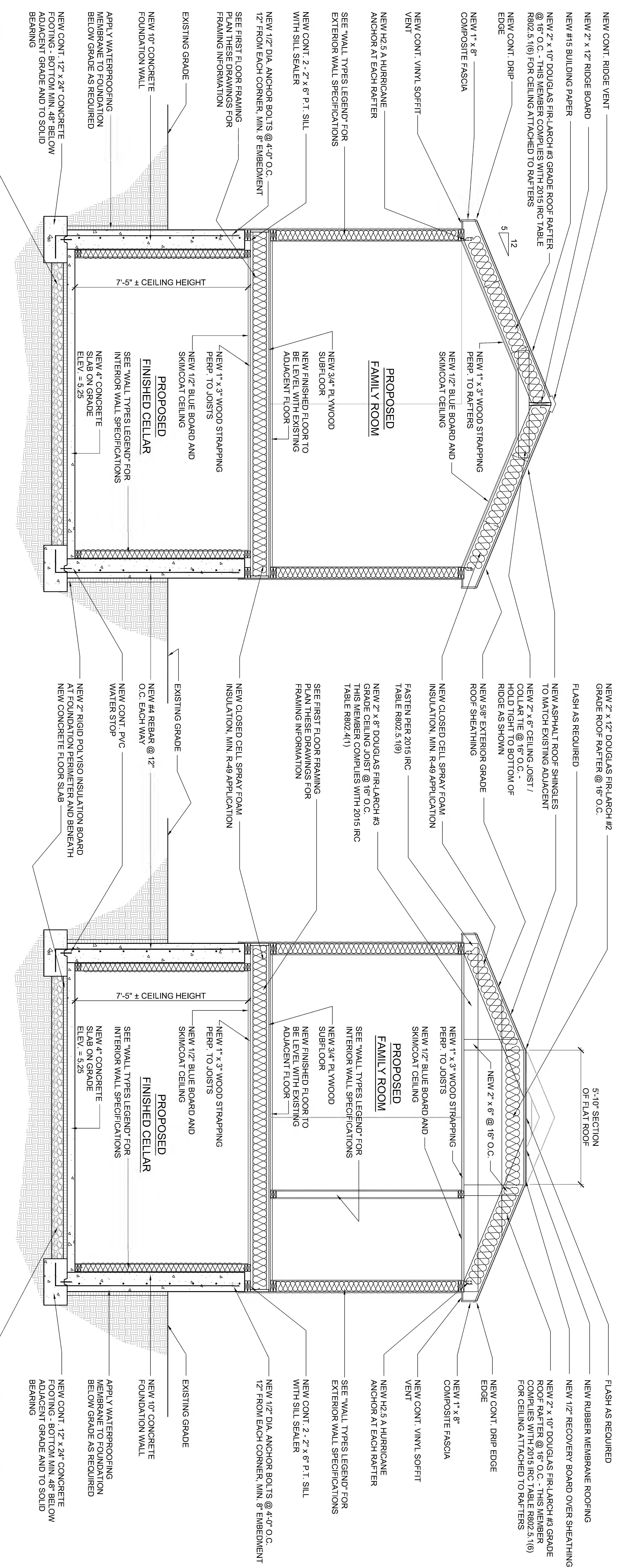






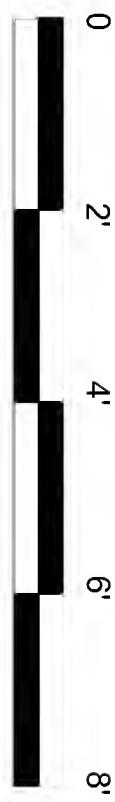
PROJECT:	PROPOSED MODIFICATIONS
37 FAIRMONT STREET	ARLINGTON, MA
REV.	DATE
DESCRIPTION	

DATE:	3-16-20
SCALE:	AS NOTED
DRAWN BY:	A-4



# BUILDING SECTION @ NEW WORK

SCALE: 1/2" = 1'-0"



# BUILDING SECTION @ NEW WORK

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SCALE: 1/2" = 1'-0"



		<u>PROJECT:</u>	<u>DATE:</u>	<u>SHEET:</u>
		PROPOSED MODIFICATIONS	3-16-20	A-5
		37 FAIRMONT STREET	SCALE:	
		ARLINGTON, MA	AS NOTED	
<u>REV.</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>DRAWN BY:</u>	
<b>A-5</b>				